

MINUTES

CIVIL SERVICE COMMISSION MEETING

Wednesday, December 9, 2015 at 9:30 a.m.

522 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

9:30 A.M. CLOSED SESSION

Consideration of the appointment, employment, evaluation of performance, discipline, or dismissal of public employees pursuant to Government Code Section 54957, for the positions listed below.

CONVENED THE MEETING AT 9:30 A.M. AND WENT INTO CLOSED SESSION AT 9:30 A.M.

10:00 A.M. AGENDA

RECONVENED THE MEETING AT 10:28 A.M.

COMMISSIONERS PERSENT: AFRIAT, DONNER, HERNANDEZ, KAHWAJIAN, NIGHTINGALE

Minutes of the meeting of Wednesday, December 2, 2015, for approval
APPROVED.

Consideration of Consent Calendar
APPROVED.

Unfinished Business

1. *Petition of **RENATTA COOPER** for a hearing on her ten (10) day **suspension**, effective October 27, 2014, from the position of Program Specialist IV, Chief Executive Office, based on her claim of a Civil Service Rule 25 violation, **Case No. 14-371**.*
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, GEORGE ROMAIN, TO SUSTAIN THE DEPARTMENT.

Unfinished Business (continued)

2. *Petition of **JUSTIN DORMAN** for a hearing on his **discharge**, effective November 18, 2014, from the position of Custody Assistant, Sheriff's Department, **Case No. 14-387**.*
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, STEVEN E. PRESBERG, TO IMPOSE A PENALTY OF A SUSPENSION, FOR TIME ALREADY SERVED, AND RESTORED TO HIS POSITION WITHOUT BACK PAY.
3. *Petition of **JOSE IZQUIERDO** for a hearing on his **discharge**, effective April 15, 2014, from the position of Children's Social Worker III, Department of Children and Family Services, **Case No. 14-127**.*
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, BARBARA E. MILLER, TO REDUCE THE DISCHARGE TO A THIRTY (30) DAY SUSPENSION WITH NO BACK PAY FOR A PERIOD OF AN ADDITIONAL ELEVEN (11) MONTHS.

New Business

4. *Petition of **RAFAEL CALVO** for a hearing on his seven (7) day **suspension**, effective September 22, 2015, from the position of Senior Grounds Maintenance Worker, Department of Parks and Recreation, **Case No. 15-278**.*
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
5. *Petition of **MERCY ABRAHAM** for a hearing on the Director of Personnel's denial of her appeal of the **interview score** received in the examination for Accounting Officer I, **Case No. 15-266**.*
HEARING DENIED.
6. *Petition of **MIESHA GANT** for a hearing on the Director of Personnel's denial of her appeal of the **Appraisal of Promotability score** received in the examination for Human Services Administrator I, **Case No. 15-269**.*
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION.
7. *Petition of **ALBERTO GUZMAN** for a hearing on the Director of Personnel's denial of his appeal of the **disqualification** in the examination for Security Officer, **Case No. 15-265**.*
HEARING DENIED. (NO ONE APPEARED FOR THE PETITIONER.)

Miscellaneous

8. Opportunity for members of the public to address the Commission on items of interest that are within the subject matter jurisdiction of the Commission.
NO PUBLIC COMMENTS.

ADJOURNED TO CLOSED SESSION AT 10:48 A.M.

CLOSED SESSION

Consideration of confidential peace officer appeals pursuant to Copley Press.

Unfinished Business

9. *Petitioner's request for a hearing on her **discharge**, effective August 7, 2014, from the position of Sergeant, Sheriff's Department, **Case No. 14-263.***
THE COMMISSION DENIED THE PETITIONERS REQUEST TO CONTINUE THE MATTER, IN ORDER TO ATTEMPT RESOLUTION. ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, IRENE P. AYALA, TO SUSTAIN THE DEPARTMENT. COMMISSIONER DONNER DISSENTED.

10. *Petitioner's request for a hearing on her ten (10) day **suspension**, effective September 22, 2014, from the position of Deputy Probation Officer II, Probation Department, **Case No. 14-295.***
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, SHERI E. ROSS, TO SUSTAIN THE DEPARTMENT.

11. *Petitioner's request for a hearing on his **discharge**, effective November 1, 2013, from the position of Deputy Probation Officer II, Probation Department, **Case No. 13-537.***
SUSTAINED THE DEPARTMENT'S OBJECTIONS AND ANNOUNCED AS ITS NEW PROPOSED DECISION TO SUSTAIN THE DEPARTMENT IN THE DISCHARGE. CONCLUSIONS OF LAW #2 AND #3 WERE MODIFIED AND NEW CONCLUSIONS OF LAW #4 AND #5 WERE ADDED. CONCLUSIONS OF LAW #2 IS AMENDED TO READ AS "GIVEN FINDING OF FACT #4, THE COMMISSION FINDS THAT APPELLANT DID ENGAGE IN AN INAPPROPRIATE SOCIAL RELATIONSHIP WITH A FEMALE FORMER INMATE. THEIR MEETING IN AUGUST 2012, LESS THAN FIVE (5) WEEKS AFTER HER RELEASE WAS NOT COINCIDENTAL." CONCLUSION OF LAW #3 "APPELLANT'S FAILURE TO REPORT THIS CONTACT IS A FAILURE TO FOLLOW ESTABLISHED RULES." CONCLUSION OF LAW #4 "APPELLANTS CONDUCT CONSTITUTES FAILURE TO EXERCISE GOOD JUDGMENT AND CONDUCT UNBECOMING A PEACE OFFICER." CONCLUSION OF LAW #5 "RESPONDENT MET ITS BURDEN OF PROOF IN ESTABLISHING DISCIPLINE OF DISCHARGE WAS APPROPRIATE." COMMISSIONERS HERNANDEZ AND NIGHTINGALE ABSTAINED.

CLOSED SESSION (continued)

Unfinished Business (continued)

12. *Petitioner's request for a hearing on his **discharge**, effective September 3, 2013, from the position of Detention Services Officer, Probation Department, **Case No. 13-440**.*
OVER-RULED THE PETITIONER'S OBJECTIONS. THE COMMISSION ADOPTED AS ITS FINAL DECISION, THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, HERBERT STEINBERG, TO SUSTAIN THE DEPARTMENT.
13. *Petitioner's request for a hearing on his **discharge**, effective January 14, 2011, from the position of Detention Services Officer, Probation Department, **Case No. 11-029**.*
CONTINUED IN ORDER FOR THE COMMISSION TO SEEK LEGAL ADVICE.
14. *Petitioner's request for a hearing on his fifteen (15) day **suspension**, effective May 9, 2011, from the position of Deputy Sheriff, Sheriff's Department, **Case No 11-169**.*
CONTINUED AT THE REQUEST OF ELIZABETH GIBBONS, ATTORNEY FOR THE PETITIONER, IN ORDER FOR HER TO BE PRESENT.

New Business

15. *Petitioner's request for a hearing on his **suspension** not to exceed thirty (30) days following judgment of a criminal matter, effective September 25, 2015, from the position of Deputy Sheriff, Sheriff's Department, **Case No. 15-281**.*
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
16. *Petitioner's request for a hearing on his seven (7) day **suspension**, effective October 5, 2015, from the position of Deputy Sheriff, Sheriff's Department, **Case No. 15-282**.*
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
17. *Petitioner's request for a hearing on his **suspension** not to exceed thirty (30) days following judgment of a criminal matter, effective September 22, 2015, from the position of Deputy Sheriff, Sheriff's Department, **Case No. 15-284**.*
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
18. *Petitioner's request for a hearing on his **discharge**, effective August 17, 2015, from the position of Deputy Sheriff, Sheriff's Department, **Case No. 15-286**.*
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

ADJOURNED CLOSED SESSION AND RECONVENED THE MEETING AT 11:49 A.M.

READ INTO THE RECORD AN ACCOUNTING OF ACTIONS TAKEN DURING CLOSED SESSION.

ADJOURNED THE MEETING AT 11:50 A.M.

Legal Advisor:
Ed Lewis

Head, Civil Service Commission:
Steve Cheng

Head Commission Specialist:
Luz Delgado

APPROVED BY THE CIVIL SERVICE
COMMISSION ON DECEMBER 16, 2015

A handwritten signature in cursive script that reads "Lawrence D. Crocker".

Lawrence D. Crocker
Executive Director